



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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January 2, 1996

Steven Evans  
SLC Environmental  
1374 East 3300 South, Suite 202  
Salt Lake City, Utah 84106

Re: Status of Notice of Non-Compliance, Deer Trail Mine, S/031/003, Piute County, Utah

Dear Mr. Evans:

On November 15, 1995, the Division issued a Notice of Non-Compliance for the Deer Trail Mine in Piute County, Utah, for failing to file a complete Notice of Intention to commence mining operations, as required by the Utah Mined Land Reclamation Act, Title 40-8-13(1)(a), and Section R647-3-101.1 of the Minerals Rules.

Since this site included more than 5 acres of disturbance, mitigation of the non-compliance required you to file a complete *Notice of Intention to Commence Large Mining Operations* and submit an interim reclamation surety of \$17,000. A second option was to complete the *Notice of Intention to Commence Small Mining Operations* and reclaim a portion of the mine site to reduce the disturbed acreage to less than 5 acres. An interim reclamation surety was also required if the reclamation was not completed by December 15, 1995. You have chosen the second option to mitigate the non-compliance notice.

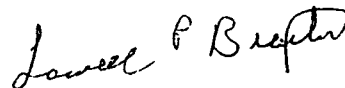
According to phone conversations with the Division staff, you indicated that the required reclamation was completed by December 8, 1995, as directed during Mr. Lynn Kunzler's November 21, 1995 site inspection (currently, 4.85 acres is disturbed). On December 11, 1995, the Division received a new *Notice of Intention to Commence Small Mining Operations*, that is to reflect your current plans for the mine. The Division's staff has found this notice to be complete and adequate. Since the reclamation work has been completed and an adequate notice was filed by the appropriate deadlines, the Division will not require posting of an interim surety. However, please be advised that before you expand your mining operation beyond 5 acres, or before you develop the area by the old tailings pond (on fee property), you will need to submit and have approved a *Notice of Intention to Commence Large Mining Operations*. You have indicated that you will be developing a large mining notice in the near future that will encompass most of the mining disturbances associated with the Deer Trail Mine.



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Your recent actions satisfy the mitigation requirements of our Notice of Non-compliance. Thank you for your cooperation and prompt attention to this matter. Please contact me, Wayne Hedberg or Lynn Kunzler of the Minerals staff, should you have any questions or concerns regarding this action.

Sincerely,

A handwritten signature in cursive script, reading "Lowell P. Braxton".

Lowell P. Braxton  
Associate Director, Mining

jb  
cc: Ray Brown, Unico, Inc., P.O. Box 777  
Magalia, California 95954  
Steve Winslow, USFS, Beaver RD  
Lynn Kunzler, DOGM  
S031003.let